



**STATE OF TENNESSEE
DEPARTMENT OF FINANCE AND ADMINISTRATION
STATE CAPITOL
NASHVILLE, TENNESSEE 37243-0285**

**JIM BRYSON
COMMISSIONER**

December 31, 2022


MEMORANDUM

TO: The Honorable Kerry Roberts, Chairman
Senate Government Operations Committee

The Honorable John Ragan, Chairman
House Government Operations Committee

Jessica Himes, Director
Office of Legislative Budget Analysis

Catherine Haire, Director
Office of Legislative Budget Analysis

FROM: Jim Bryson, Commissioner of Finance and Administration 

SUBJECT: 2021-2022 Regulatory Agencies – Fees and Operating Costs

Under the provisions of TCA §4-29-121(a), I certify that thirteen (13) regulatory boards and commissions, listed on the two attached charts, did not collect fees in an amount sufficient to pay operating costs in the fiscal year ending June 30, 2022. Nine (9) of the agencies are administratively attached to the Division of Health Related Boards in the Department of Health and four (4) of the agencies are administratively attached to the Division of Regulatory Boards in the Department of Commerce and Insurance.

In the Division of Health Related Boards, eight (8) of the listed boards have a positive reserve balance. In the Division of Regulatory Boards, three (3) of the listed boards have a positive reserve balance. These eleven (11) boards were able to cover their fee shortfalls with their reserve balances and did not pose a closing issue. In most cases the reserve balances contain more than a year's worth of expenditures.

The attached charts also indicate which of the boards had two-year operating deficits, including five (5) of the Health Related Boards and three (3) in the Division of Regulatory Boards. These are the boards subject to a review by a joint evaluation committee under the provision of TCA 4-29-121(b).

JB:DT:wn

Enclosures (2)

cc: Department of Health
Department of Commerce and Insurance

Division of Regulatory Boards
Department of Health
Comparison of Fees and Costs
FY 2020-2021 and FY 2021-2022
Closing Report

	2020-2021			2021-2022			Reserve Balance 6/30/2022	Years of Expenditures in Reserve
Board	Fees	Costs	Deficit	Fees	Costs	Deficit		
2-Year Deficit:								
TN Board of Dentistry	\$ 1,343,727.18	\$ 1,354,704.93	\$ (10,977.75)	\$ 1,388,154.79	\$ 1,499,331.54	\$ (111,176.75)	\$ 3,832,296.27	2.6
TN Board of Occupational Therapy	\$ 238,158.93	\$ 256,027.00	\$ (17,868.07)	\$ 246,144.82	\$ 266,487.06	\$ (20,342.24)	\$ 335,289.88	1.3
TN Board of Optometry	\$ 195,460.00	\$ 195,743.65	\$ (283.65)	\$ 187,425.00	\$ 215,851.53	\$ (28,426.53)	\$ 683,169.85	3.2
TN Reflexology Registry	\$ 24,705.00	\$ 35,922.70	\$ (11,217.70)	\$ 24,765.00	\$ 28,267.77	\$ (3,502.77)	\$ 53,230.27	1.9
TN Board of X-Ray Technicians	\$ 25.00	\$ 23,638.35	\$ (23,613.35)	\$ -	\$ 52,292.67	\$ (52,292.67)	\$ (369,464.80)	0
2021-2022 Deficit Only:								
TN Board of Podiatry	\$ 103,988.55	\$ 100,068.64	\$ 3,919.91	\$ 74,215.00	\$ 116,483.58	\$ (42,268.58)	\$ 224,475.35	1.9
TN Advisory Committee for Acupuncture	\$ 47,470.00	\$ 15,444.39	\$ 32,025.61	\$ 45,025.00	\$ 54,013.27	\$ (8,988.27)	\$ 262,630.26	4.9
TN Committee for Clinical Perfusion	\$ 16,700.00	\$ 8,938.77	\$ 7,761.23	\$ 20,020.00	\$ 37,946.21	\$ (17,926.21)	\$ 159,621.02	4.2
TN Polysomnography Professional Standards	\$ 41,835.00	\$ 35,192.16	\$ 6,642.84	\$ 34,887.50	\$ 49,498.53	\$ (14,611.03)	\$ 10,722.12	0.2

Division of Regulatory Boards
Department of Commerce and Insurance
Comparison of Fees and Costs
FY 2020-2021 and FY 2021-2022
Closing Report

Board	2020-2021			2021-2022			Reserve Balance 6/30/2022	Years of Expenditures in Reserve
	Fees	Costs	Deficit	Fees	Costs	Deficit		
2-Year Deficit:								
Limited Licensed Plumbers/Electricians	\$ 292,601.38	\$ 355,824.53	\$ (63,223.15)	\$ 143,830.00	\$ 204,922.12	\$ (61,092.12)	\$ 1,704,198.96	8.3
TN Athletic Commission	\$ 67,211.12	\$ 94,739.51	\$ (27,528.39)	\$ 73,934.96	\$ 105,198.93	\$ (31,263.97)	\$ (39,873.48)	0
Private Probation Services	\$ 56,214.70	\$ 131,455.66	\$ (75,240.96)	\$ 65,853.24	\$ 90,342.65	\$ (24,489.41)	\$ 591,105.40	6.5
2021-2022 Deficit Only:								
Motor Vehicle Commission	\$ 2,079,578.87	\$ 2,015,581.51	\$ 63,997.36	\$ 1,528,110.50	\$ 1,831,997.35	\$ (303,886.85)	\$ 1,930,282.36	1.1